

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

September 5, 2000

A. CALL TO ORDER

The September 5, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Chief Deputy Charles Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Gerald Clifton-----District 3
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. “Sluggo” Davis-----Chancery Clerk
David Armstrong-----County Administrator
James Albert Riley-----DeSoto County Sheriff
William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by County Administrator David Armstrong.

C. PUBLIC HEARING - BUDGET FY01

Board President Eugene Thach called for a public hearing for the Budget for Fiscal Year 2001. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to open the public hearing on the subject of the budget for the period of October 1, 2000 through September 30, 2001. The **motion passed** by a unanimous vote. Supervisor Eugene Thach asked if there was any one present to address the Board of Supervisors regarding the Budget.

Robert Renfrow came before the Board of Supervisors and advised that he has been a resident of DeSoto County for ten years and has no political agenda regarding the budget but that he feels that DeSoto County taxes are too high. Mr. Renfrow said that DeSoto County should receive gambling revenue from Tunica County. Mr. Renfrow further stated that license plates for both commercial and personal vehicles, are too high. Mr. Renfrow said that DeSoto County has too much government and that he prefers a consolidated government with all Cities and the County being one unit.

Mr. Renfrow said he is opposed to the County funding Church Road before Highway 302 is completely finished. Mr. Renfrow commended the Board of Supervisors for doing a great job; however, Mr. Renfrow said that the County needs to look to the State and Federal Governments for funding instead of taxing the residents of DeSoto County.

ITEM C, CONTINUED,

Supervisor Eugene Thach said that Mr. Renfrow lives in his district and he told him that the

Board is working with the Legislators to receive gambling revenue from Tunica County and that Highway 302 is a State road and Church Road is a County road. Supervisor Thach said he agrees taxes are too high but the tremendous growth in DeSoto County continues to put great demands on the budget.

Supervisor John Caldwell thanked Mr. Renfrow for coming to the public hearing and said he wished more of the public would come and voice their opinions to the Board. Supervisor Caldwell advised that Highway 302 to Walls should be finished before work on Church Road begins. Supervisor Caldwell stated that he is personally opposed to property taxes but that the County cannot keep up with growth without taxes. Supervisor Caldwell said that the County now has paid ambulance services and an additional thirty-five paid deputies. Supervisor Caldwell further stated that small businesses like the one owned by Mr. Renfrow, with only six cars are not eligible for tax exemptions and that should be addressed at some point in time.

Youth Court Judge Mills Barbee and Youth Court Counselor Lori Mabus notified the Board of Supervisors that the County received a Juvenile Accountability Incentive Block Grant in the amount of \$18,687.00 and requested that the County include \$1,868.00 in the FY01 Budget to cover the 10% matching funds. Judge Barbee said that Ms. Mabus, who is an intensive counselor at Youth Services, will be the Project Director of the grant. County Administrator David Armstrong said that he added a new fund for the grant and included \$1,868.00 in the fund for the grant match.

Having officially heard the protest to the FY01 Budget and with no one else present to address the Board of Supervisors, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to close the public hearing on the subject of the budget for the period beginning October 1, 2000 and ending September 30, 2001. The **motion passed** by a unanimous vote.

County Administrator David Armstrong advised the Board that all requested changes have been implemented and that the budget is balanced with no increase in millage except for the additional two mills from the Board of Education. Mr. Armstrong proposed that the Board adopt the budget by departments instead of line by line. Mr. Armstrong said that both he and Comptroller Joyce Riales have talked to the Audit Department about this and the Audit Department had no objections to this. Supervisor Eugene Thach said that the Board had already voted on individual items throughout the budget discussions.

BE IT ORDERED:

That the County Budget prepared under the provisions of Section 19-11-11, Mississippi Code of 1972, is hereby approved and adopted for the fiscal year beginning October 1, 2000, and ending September 30, 2001, and will be entered at length and in detail upon the minutes of this Board following this Order. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve and adopt the budget for Fiscal Year 2001 in the amount of \$81,633,374.00. The **motion passed** by a unanimous vote. ****See Exhibit C****

County Administrator David Armstrong thanked Comptroller Joyce Riales for her hard work and long work hours during preparation of the budget. Supervisor Eugene Thach commended Mr. Armstrong and Ms. Riales for their work on the budget. Supervisor Thach said they did a great job being new and that their efforts this year will make preparation of next year's budget easier.

ITEM D, CONTINUED,

D. APPROVAL OF AUGUST MINUTES

The official minutes of the Board of Supervisors were read for the month of August 2000, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor Tommy

E. C. T.

9/5/00

Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the minutes of the Board of Supervisors for August 2000. The **motion passed** by a unanimous vote.

E. OLD BUSINESS

1. Agreement to Fly Model Planes on Landfill

This item was held over by the Board of Supervisors.

2. Intersection of Starlanding Road and Highway 301

This item was held over by the Board of Supervisors.

3. Recycling Program

This item was held over by the Board of Supervisors.

F. NEW BUSINESS

1. Joyce Riales, Comptroller

Comptroller Joyce Riales and Sarah Clenney of the Accounting Department presented the list of claims to be paid to the Board of Supervisors for approval. County Administrator David Armstrong gave an overview of August expenditures as compared to July expenditures.

(1) Seiler Building Corporation - Courthouse Renovation

Verified bills in connection with Seiler Building Corporation for the Courthouse Renovation were presented by copy to each Supervisor. ****See Exhibit F.1.a.(1)****

(2) Allen & Hoshall - Courthouse Renovation

Verified Bills in connection with Allen & Hoshall for the Courthouse Renovation were presented by copy to each Supervisor. ****See Exhibit F.1.a.(2)****

(3) Civic Center

Verified bills in connection with the Civic Center were presented by copy to each Supervisor. ****See Exhibit F.1.a.(3)****

In accordance with Section 19-13-31 of the Mississippi Code, Supervisor Gerald Clifton made the motion and Supervisor Jessie Medlin seconded the motion to approve the claims docket for claim #7340 - #7804 and authorized the clerk to write the checks. The **motion passed** by a unanimous vote. ****See Exhibit F.1.a.(1).(2).(3)****

ITEM F.2, CONTINUED,

2. Kenny Gunn - Road Report and Work Schedule

Kenny Gunn presented the Road Report and Work Schedule to the Board of Supervisors for approval. Mr. Gunn advised that the traffic count requested by Supervisor Jessie Medlin on Centerhill Road produced almost the same results as the previous traffic count on Centerhill Road.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to accept the Road Report for August 2000 and the Work Schedule for September 2000, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a unanimous vote. ****See Exhibit F.2****

3. Road Bond Report

Road Manager Kenny Gunn presented the Road Bond Report to the Board of Supervisors for review.

Supervisor John Caldwell asked what is being done with the bonds that are expiring with no recommendation by them. Mr. Gunn said that Mr. Ivey is working on those bonds and will bring a recommendation back for the Board.

At the recommendation of Road Manager Kenny Gunn, Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to accept the road bond report, release the maintenance bond on Morning View “A” Subdivision, begin County maintenance of the roads, and add the roads of the subdivision to the County Road Map and Road Register, and to reduce bonds on subdivisions as follows:

Fox Creek A & B	Reduce \$53,575.00 Construction Bond to a \$28,100.00 Maintenance Bond
Vale Subdivision	Reduce \$8,000.00 Construction Bond to a \$2,300.00 Maintenance Bond
Sunset Farms “A”	Reduce Construction Bond from \$175,000.00 to \$31,000.00
Cypress Creek Phase 2	Reduce Construction Bond from \$10,000.00 to \$7,800.00

The **motion passed** by a unanimous vote. ****See Exhibit F.3****

4. Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, of Mississippi Code of 1973, Annotated, Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to pay Floyd Medlin the amount of \$ 160.00 for the month of August, 2000, to pay Lee Hodge the amount of \$ 200.00 for the month of August, and to pay Joe Holmes the amount of \$200.00 for the month of August, 2000. The **motion passed** by a unanimous vote. ****See Exhibit F.4****

5. Justice Court Report

This item was held over by the Board of Supervisors until September 6, 2000.

6. Publication of Board Proceedings

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the publication of Board Proceedings in connection with Section 19-3-33 of the Mississippi Code which states that the Board of Supervisors may have its proceedings published

ITEM F.6, CONTINUED,

in some newspaper in the county, and cause the same to be paid for out of the county treasury. The **motion passed**

7. Approval of Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of September 5, 2000 through October 2, 2000, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby

authorized contingent on funds being available in the departmental budget of the individual traveling. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize travel for all officials and employees of DeSoto County for the period of September 5, 2000 through October 2, 2000 and to approve travel for the Board of Supervisors, Board Attorney, County Administrator, and Regional Utility Authority members to Washington, DC in September 2000 for the sewer program and authorize the Clerk to write the necessary checks. The **motion passed** by a unanimous vote. ****See Exhibit F.7****

8. Sheriff's Employee Report

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to accept the Sheriff's Employee Report for the period of July 31, 2000 through August 31, 2000 into the minutes. The report is attached and made a part of the minutes in Exhibit F.8. The **motion passed** by a unanimous vote. ****See Exhibit F.8****

9. Making the Response from MDOT regarding the Request for Signalization at Highway 305 and Bethel Road a Part of the Minutes

County Administrator David Armstrong informed the Board of Supervisors that a response was received from MDOT regarding a request for signalization at Highway 305 and Bethel Road and MDOT said that the traffic volume and the accident rate at that location was too low to justify a traffic light or a four-way stop. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to make the response from MDOT regarding the request for signalization at Highway 305 and Bethel Road a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit F.9****

10. Acknowledging Receipt of Consideration for the ROW at Highway 301 and 304 and Making it a Part of the Minutes

County Administrator David Armstrong informed the Board of Supervisors that MDOT sent a check for \$1,345.00 for the right of way on 0.17 acres on Highway 301 that is owned by the County. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to acknowledge receipt of \$1,345.00 from the State for the right of way at Highway 301 and Highway 304 and make it a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit F.10****

11. Acceptance of Youth Court Grant

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the Juvenile Accountability Incentive Block Grant for Youth Court in the amount of \$18,687.00 with the County's match being \$1,868.00. The **motion passed** by a unanimous vote. ****See Exhibit F.11****

ITEM F.12, CONTINUED,

12. Request for Payment of Medical Expense for Victim of Sexual Assault

As authorized by Section 99-37-25 of the Mississippi Code and as recommended by Sherry Franks, Victim's Assistance Coordinator in the District Attorney's Office, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the reimbursement of medical expenses incurred by a victim as a result of a sexual assault, which occurred in DeSoto County in May, 2000 with the reimbursement being paid directly to the medical providers in the amount of \$530.30 and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit F.12****

13. Authorization to Advertise for Positions

a. GIS Director

- b. Grant Writer**
- c. Risk Manager**

County Administrator David Armstrong requested authorization to advertise for a GIS Director at a salary of \$44,100.00, a Grant Writer at a salary of \$30,000.00, and a Risk Manager at a salary of \$45,000.00. Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to advertise for the positions of GIS Director, Grant Writer, and Risk Manager. Supervisor Eugene Thach recommended that the Board vote on these positions individually. Supervisor Clifton withdrew the motion and Supervisor Lewis withdrew the second.

GIS Director - Supervisor John Caldwell said that a decision was never made as to the level the GIS Department will be taken and that the job description has not been written well enough to advertise for the position. Supervisor Gerald Clifton said that growth will dictate the size of the GIS Department. Supervisor Tommy Lewis suggested talking to Sam Russell to see what he thinks the direction of GIS will be. The Board asked County Administrator David Armstrong to work up a job description for GIS Director and bring it back to the Board for approval.

Grant Writer - Supervisor Jessie Medlin said he doesn't have a problem with a grant writer but wants results to justify the position. Supervisor John Caldwell said that the grant writer will sort through the grants and recommend what is best for the County.

Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to advertise for the position of a grant writer at a salary of \$30,000.00. The **motion passed** by a unanimous vote.

Risk Manager - Supervisor Eugene Thach advised that he has reservations about a risk manager. Supervisor Tommy Lewis said he is concerned that the salary is too low and asked if it is possible to hire someone at the salary and then train the person and then increase the salary. Supervisor Gerald Clifton said that a risk manager will help decrease the liability insurance rates. County Administrator David Armstrong said that Rex Haynes said that the rates will decrease by having a risk manager on board but that he does not have that in writing. Supervisor John Caldwell said that a written commitment will not be given unless the risk manager produces results.

Supervisor Jessie Medlin asked how many proposals were received for liability insurance. Supervisor Eugene Thach said only one proposal was received because there is no deductible. Vanessa Lynchard said that only one proposal was received because the claims have exceeded the set amount every time and the deductible amounts quoted were too high. Supervisor Tommy Lewis suggested that the County have a consultant look into the feasibility of having a

ITEM F.13, CONTINUED,

risk manager. Mr. Armstrong said that there is a group out of Nashville that will provide consultation services for a year but after that, the County will need a full-time risk manager. Supervisor Jessie Medlin said he would like to see a consultant come in now to see what is recommended for the County.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to advertise for proposals for a consultant for risk management. The **motion passed** by a unanimous vote.

14. Courthouse Renovation - Approval of Revision of Previously Approved Change Order #3

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve a revision up to \$851.40 to change order #3 of the Courthouse Renovation, which

was previously approved by the Board of Supervisors on August 7, 2000 in the amount of \$600.00 to \$800.00. The **motion passed** by a unanimous vote. ****See Exhibit F.14****

15. Making Petition for Candidacy for Election Commissioner for District 5 a Part of the Minutes

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to accept the petition of Ouida W. Schrader for candidacy for Election Commissioner on the Republican ticket for District 5 and acknowledge that the Circuit Clerk has certified the names on the petitions, make the petition a part of the minutes, and instruct the County Administrator to notify the appropriate offices. The **motion passed** by a unanimous vote. ****See Exhibit F.15****

16. Approval for Board President to Sign Federal Equitable Sharing Agreement for Metro Narcotics

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the Federal Equitable Sharing Agreement for Metro Narcotics for the period of October 1, 2000 through September 30, 2002 in order to allow the Count to participate in federal funding for Metro Narcotics. The **motion passed** by a unanimous vote. ****See Exhibit F.16****

17. Making Secretary of State's Approval of Interlocal Agreement with Southaven for Parks Maintenance a Part of the Minutes

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to make the Secretary of State's certification of the Interlocal Agreement between the DeSoto County Board of Supervisors and the City of Southaven for the joint construction of facilities for city parks a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit F.17****

18. Hacks Cross Road

a. Making Contract with Hill Brothers a Part of the Minutes

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to make the contract with Hill Brothers Construction Company, Inc. in the amount of \$1,382,005.55 for the construction of Hacks Cross Road a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit F.18.a****

ITEM F.18.b, CONTINUED,

b. Approval of Contract between DeSoto County and North Delta Planning and Development District

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to authorize the Board President to sign the Contract for Professional Services between DeSoto County and North Delta Planning and Development District, Inc. for CDBG Project Number 97-017-ED-IF-01, for the construction of Hacks Cross Road, and to make the contract a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit F.18.b****

c. Approval of Fair Housing Resolution

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the Fair Housing Resolution for CDBG Project Number 97-017-ED-IF-01 and to authorize the Board President to sign the agreement. The **motion passed** by a unanimous vote. ****See Exhibit F.18.c****

d. Approval for Board President to Sign Requests for Payment throughout Project

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign requests for payment throughout CDBG Project Number 97-017-ED-IF-01 on Hacks Cross Road. The **motion passed** by a unanimous vote.

e. Authorization for County Engineer to Approve and Sign Subcontract Agreements

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the County Engineer to approve and to sign subcontract agreements for CDBG Project Number 97-017-ED-IF-01 on Hacks Cross Road. The **motion passed** by a unanimous vote.

19. Setting Millage for FY01

BE IT ORDERED:

The Board of Supervisors agreed to set the tax levy at 85.78 mills as detailed and in accordance with Section 19-5-23 of the Mississippi Code. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to adopt the millage sheet and set the millage at 85.78 mills for Fiscal Year 2001 in accordance with the guidelines set forth in the Mississippi Code. The **motion passed** by a unanimous vote. ****See Exhibit F.19.****

G. EXECUTIVE SESSION

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

H. OTHER ISSUES

1. Intersection of Highway 301 and Highway 304

County Administrator David Armstrong informed the Board of Supervisors that Supervisor Gerald Clifton requested a stop sign or traffic light at the intersection of Highway 301 and Highway 304. Mr. Armstrong said that James Cobb, Deputy Director of MDOT, said to call him personally and he would have a traffic count done at that intersection.

ITEM H.2, CONTINUED,

2. Civic Center Road

Road Manager Kenny Gunn advised the Board of Supervisors that the County spent a total of \$98,000.00 including labor on the Civic Center Road. Mr. Gunn said that the materials alone were \$68,000.00.

3. Starlanding Road and Baldwyn Road

Supervisor John Caldwell asked about the status of the work on Starlanding Road and Baldwyn Road. Road Manager Kenny Gunn said that the road is still closed and he is reluctant to open it until it is paved because the road is heavily trafficked and the motorists travel at high rates of speed. Mr. Gunn said it has gravel on it and North Mississippi Driveways, who has the contract on the road, will be paving it within the next few weeks. Supervisor Caldwell said it depends on how long it will be before the road is finished. Mr. Gunn said the road is paved on both sides approaching this area and site lines could cause someone to hit the gravel at a high rate of speed.

4. Road Construction Safety

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9/5/00

Supervisor Tommy Lewis expressed concern about the safety of flagmen on roads. Supervisor Lewis said that the flagmen are standing too close to the road equipment instead of in curves where they should be to give advance notice to motorists about road construction. Supervisor Lewis suggested that the road crews attend safety classes. Road Manager Kenny Gunn said that he would look into traffic control schools for the road crews and would also talk to the foreman about traffic safety measures.

5. Kentwood Subdivision

Supervisor John Caldwell informed the Board of Supervisors that when Kentwood Subdivision was built, the developer got a waiver and did not build sidewalks in the subdivision. Supervisor Caldwell said that at some point, the County may want to consider constructing sidewalks in Kentwood. Supervisor Eugene Thach said that it is not fair to make the taxpayers pay for the sidewalks when the Board waived them for the developer. Supervisor Caldwell suggested adding bike lanes instead of sidewalks and asked Road Manager Kenny Gunn to check to see if the streets in Kentwood Subdivision are wide enough to add bike lanes.

6. Tax Exemption

Supervisor John Caldwell advised the Board of Supervisors that a company that has approached the Board about a possible tax exemption is building its warehouse with loading docks facing Interstate 55. Supervisor Caldwell said that the Board instructed the company not to have loading docks facing the Interstate. Supervisor Caldwell said that he will vote against a tax exemption for this company when they come back before the Board for a tax exemption. Supervisor Caldwell said that Jim Flanagan, Director of the DeSoto Council, was aware of the agreement and will be providing an update to the Board after he checks into it.

7. Census 2000

Supervisor Jessie Medlin asked about the status of the Census results. County Administrator David Armstrong said that a report from the Census Bureau has not been received to date. Supervisor Medlin said he is concerned about redistricting. Mr. Armstrong said he would call to get an update and would also discuss the Census results at the next Council of Governments meeting. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to recess until September 6, 2000 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 5th day of September, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Eugene C. Thach, President
DeSoto County Board of Supervisors